

Asbestos

What is the Hazard or Problem: Asbestos containing materials such as acoustical ceilings, floor tiles, pipe coverings and boiler insulation can release cancer causing fibers if not properly maintained. Exposures can occur due to improper work practices by custodian/maintenance stripping VAT and releasing fibers; leaning chairs, wood, etc against pipes, boilers. An asbestos management plan is required by the EPA Asbestos Hazard and Emergency Response Act (AHERA). The AHERA requirements address the recognition and maintenance of asbestos in schools. However, some schools have either not complied with AHERA or have failed to update the required Asbestos Management Plan.

The Solution:

- Audit your school for asbestos containing materials
- Maintain asbestos containing materials in good condition
- Train staff on proper work practices
- Comply with applicable regulations related to asbestos in schools
- Keep all plans up to date
- Hire a State licensed contractor and notify proper authorities when removing asbestos

Applicable Regulations/Consensus Standards:

AHERA

NESHAP

State regs—DOS, DEP

RTK MGL Ch. 111f

Who in your Town or School Can Help:

Facilities Maintenance staff

Health Agents

Who to contact for free Government or Other Assistance with the Problem:

Division of Occupational Safety 617-969-7177 (Newton) or 413-784-1141 (Springfield)

Department of Environmental Protection-deals with issues related to removal and disposal of asbestos

Further Reading (include Electronic Resources if Applicable):

List of guidance documents 100 questions on AHERA

www.epa.gov/asbestos

What You Can Do to Assist with AHERA Compliance

- ⇒ Know where your school's management plan is
- ⇒ Know if and where asbestos containing materials are located in your school
- ⇒ Make sure that all the additions and updates to the management plan are kept in a centralized location
- ⇒ Make sure annual notifications go to all students and staff, and put a dated copy in your school's management plan
- ⇒ Make sure no work is performed in your school by outside contractors without prior authorization from the designated person. Make sure contractors abide by the Local Education Agency policy, such as signing a log book, producing a work permit, etc.
- ⇒ Know who the Designated Person is in your school district or for your Local Education Agency
- ⇒ Know what the Local Education Agency policy is regarding accidental disturbance of asbestos containing materials, or fiber release episodes
- ⇒ If you see suspect asbestos containing material that appears damaged, contact your designated person

AHERA School Advisory

July 2002



**Massachusetts Division Of Occupational Safety
Asbestos Lead Program**

EPA

Region 1, New England

The Management Plan Dilemma



Although the year is 2002, the Asbestos Hazard Emergency Response Act, enacted in 1989, is still in full force and effect. AHERA applies to your school if:

- Your school buildings are housing students in grades K through 12.
- Your Local Education Agency (LEA) is a private or public school system, a church affiliated school of any denomination, a school dedicated to the education of children with special needs, or a charter school.

The Massachusetts Division of Occupational Safety (DOS) receives many questions about the AHERA Management Plan requirements. Here are some of the more frequently asked questions and answers.

Do you know **WHAT** a management plan is?

Do you know **WHERE** your management plan is?

Do you know that you should still be **UP-DATING** your management plan?

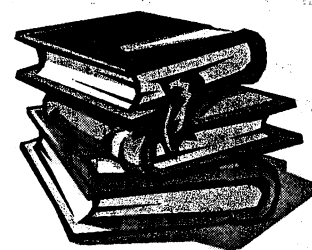
If you are a newly appointed administrator, principal or designated person, you may need AHERA compliance assistance.

Q: We just built a new school. Do we need to have a management plan prepared?

A: Yes. All schools must prepare a management plan **AND** submit a copy to the state. In Massachusetts, DOS is the agency delegated to review management plans. DOS will approve the plan or advise the school of any deficiencies.

Q: What documentation should be included in a management plan for a newly constructed school?

A: A management plan for newly constructed schools would include the designated person statement and relevant information (name, phone number, types and dates of training); annual notifications to parents



about the availability of the management plan; and an architect's statement that no asbestos containing materials were specified in the construction of the building.

Q: How often should we update our management plan? Who should we contact to update our plan?

A: A reinspection is required every 3 years, and periodic surveillance must be done every 6 months as long as asbestos containing materials remain in the school. A certified asbestos inspector can perform the reinspection and a certified management planner must revise the recommendations for managing any asbestos materials remaining in the school.

For additional compliance assistance with AHERA, call your local DOS office at 413-7481-2676, or visit the EPA website, www.epa.gov/asbestos for guidance documents available online.

Management Plan Compliance Checklist

AHERA requires that Local Education Agencies (LEAs) maintain a great deal of information as part of the asbestos management plan.

Use this general checklist when reviewing your school's management plans to assist you and your designated person in identifying potential deficiencies.

- ☐ Name and address of the school
- ☐ Statement whether the school has friable ACM or material that is assumed to be ACM
- ☐ Information on new buildings, constructed or leased, since the initial management plan was prepared. This includes the addition of a temporary classroom trailer, leased space in other public buildings or churches
- ☐ Name, signature and certification numbers of inspector and management planner; date plan was prepared

- ☐ Designated person information: name, address, phone number, dates and hours of training; statement that AHERA requirements will be met
- ☐ Copy of the initial inspection report
- ☐ Results of bulk sample analysis
- ☐ Blueprint, diagram or description of the locations and amounts of asbestos materials (ACM)
- ☐ Assessment of the condition of ACM (good, damaged, potential for damage, etc.-7 possible categories)
- ☐ Training records for all maintenance and custodial personnel
- ☐ Annual notifications to all building occupants about the availability of the management plan.
- ☐ All 6-month periodic surveillance, signed and dated by the person performing them
- ☐ All 3-year reinspections
- ☐ Recommendations to the LEA on how to manage the ACM. These must be consistent with the assessments.

- ☐ An Operations & Maintenance Program

☐ Response Action Records: all documents from the project design to the final air clearance results

☐ Cost analysis for the response action recommendations vs. long term managing ACM in place

☐ If school personnel conduct small scale work with ACM, a written medical monitoring program and respirator program (required by EPA Worker Protection Rule)

☐ Method to notify outside contractors of locations of known or suspect ACM

DOS can provide you with more complete checklists and other compliance or guidance documents.

If you have questions about compliance with AHERA, please contact Janet McKenna at our Springfield office (413) 781-2676.

Some Commonly Used AHERA Definitions

Local Education Agency—(1) Any local education agency as defined in section 198 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 3381); (2) The owner of any nonpublic, nonprofit elementary or secondary school building; (3) The governing authority of any school operated under the defense dependent's education system provided under the Defense Dependent's Education Act of 1978 (20 U.S.C. 921)

School Building—(1) any structure suitable for use as a classroom, including a school facility such as a laboratory, library, school eating facility, or facility used for the preparation of food; (2) Any gymnasium or other facility which is specifically designed for athletic or recreational activities for an academic course in physical education; (3) Any other facility used for the instruction or housing of students or for the administration of educational or research programs; (4) Any maintenance, storage, or utility facility, including any hallway, essential to the operation of any facility described in this definition of 'school building' (5) Any portico or covered exterior hallway or walkway ; (6) Any exterior portion of a mechanical system used to condition interior space.

Designated Person—Person appointed by the Local Education Agency to ensure that all AHERA requirements are met.

Asbestos Containing Material—Any material or product which contains more than 1% asbestos.

AHERA

School Advisory



**Massachusetts Division Of Occupational Safety
Asbestos Lead Program**

EPA

Region 1, New England

Renovation—Remodeling—Repair Activities

Removing/Installing Floor Tiles
Removing/Installing Ceiling Tiles
Removing/Installing Windows
Drilling into Walls, Floors, Ceilings, Doors
Removing/Installing Internet Cables, Phone Lines
Removing/Installing Hot Water Heaters and/or Boilers
Removing/Installing Heating, Ventilation or Air Conditioning



Many schools in the Commonwealth are undergoing remodeling, renovation and additions. Before any work begins in schools, your local education agency (LEA) should do a few very important things:

1. **Check for Asbestos Materials.**
You will need to refer to your Asbestos Management Plan to locate areas that are known or assumed to contain asbestos materials. If you haven't updated your management plan recently, a 3-year reinspection was due in 2001.
2. **Have a Project Design.**
If the renovations at your school will involve the disturbance, removal, or repair of more than 3 linear or square feet of asbestos containing materials, you need to have a

- project design. Project Designs must be prepared for all Asbestos Response Actions conducted in schools subject to the federal EPA AHERA regulation. These must be prepared by a certified Asbestos Project Designer. Be sure the name and certification number of the Project Designer is provided to you.
3. **Use Certified Asbestos Professionals.**
Make sure that anyone performing asbestos related work in your school buildings has a current, valid certification to work in Massachusetts. This includes the Asbestos Contractor, Asbestos Workers, Project Monitors, Inspectors and Management Planners. Their names and certification numbers should accompany any documentation they pro-

vide to the school. Obtain a copy of the certification cards if possible.

4. **Notify Building Occupants.**
Before beginning renovations which will impact asbestos containing materials, notify the parents and the school staff. AHERA requires that building occupants be notified of any asbestos activities planned or in progress. Provide the name and phone number of the AHERA Designated Person so that concerns may be addressed.

If you would like additional compliance assistance with AHERA, call your local DOS office at 413-747-7192, or visit the EPA website, www.epa.gov/asbestos for guidance documents available

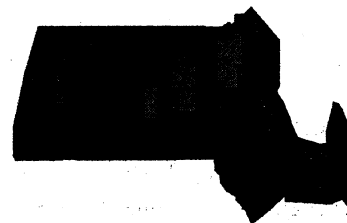
Most Common AHERA Violations

During the past several years, the Division of Occupational Safety (DOS) has found that Massachusetts schools (K-12) both public and private, share many common AHERA violations. How does your local education agency (LEA) compare?

AHERA is the Asbestos Hazard Emergency Response Act enacted by Congress in 1989.

- Failure to designate a person to ensure the AHERA requirements are implemented.
- Failure to inform workers or the building occupants at least once a year about inspections, response actions, and post-response action activities that are planned or in progress.
- Failure to notify parents, teachers or organizations about the Management Plan's availability once a year.
- Failure to conduct or document the six-month asbestos periodic surveillance on of its buildings.
- Failure to provide appropriate training for its maintenance and/or custodial staff.
- Failure to post asbestos warning labels in routine maintenance areas (boiler rooms).
- Records are difficult to locate. Failure to develop and effective cross referencing system to effectively locate the necessary documents (this is not a violation but could lead to one).
- Failure to maintain complete records on removals/repairs on materials containing asbestos, asbestos fiber releases, and/or maintenance and operation activities, including lack of information on whether the laboratory used for analyzing the samples is accredited, accreditations on people conducting the activities, how the activities were performed, etc..
- Failure to conduct the 3-year reinspection.

If you have questions about compliance with AHERA, please contact an Environmental Engineer at our Springfield office (413) 747-7192.



Some Common Asbestos Containing Building Materials

- | | | |
|---|---|-------------------------------|
| • Cement Pipes | • Laboratory Hoods/Table Tops | • Electric Wiring Insulation |
| • Cement Wallboard | • Laboratory Gloves | • Chalkboards |
| • Cement Siding | • Fire Blankets | • Roofing Shingles |
| • Asphalt Floor tile | • Fire Curtains | • Roofing Felt |
| • Vinyl Floor tile | • Elevator Equipment Panels | • Base Flashing |
| • Vinyl Sheet Flooring | • Elevator Brake Shoes | • Thermal Paper Products |
| • Flooring Backing | • HVAC Duct Insulation | • Fire Doors |
| • Construction Mastics (floor tile, carpet, ceiling tile) | • Boiler Insulation | • Caulking/Putties |
| • Acoustical Plaster | • Breeching Insulation | • Adhesives |
| • Decorative Plaster | • Breeching Insulation | • Wallboard |
| • Textured Paints/Coatings | • Ductwork Flexible Fabric connections | • Joint Compounds |
| • Ceiling Tiles and Lay-in Panels | • Cooling Towers | • Vinyl Wall coverings |
| • Spray-Applied Insulation | • Pipe Insulation (corrugated, air-cell, block) | • Spackling Compounds |
| • Taping Compounds (thermal) | • Heating & Electrical Ducts | • High Temperature Gaskets |
| • Packing Materials (for wall/floor penetrations) | • Electrical Cloth | • Electrical Panel Partitions |



Visit us on the Web: www.state.ma.us/dos

MANAGEMENT PLAN COMPLIANCE CHECKLIST

GENERAL INFORMATION

- ☐ List the name and address of each school building
- ☐ Whether the school building contains friable ACBM, non-friable ACBM, and/or friable and non-friable materials assumed to be ACBM
- ☐ Date the management plan was prepared
- ☐ Name, signature and certification number of each management planner

DESIGNATED PERSON INFORMATION

- ☐ Name, address and telephone number of designated person
- ☐ Course name, dates and hours of training taken by designated person
- ☐ Signed statement by the AHERA designated person that the LEA responsibilities under AHERA Rule have been or will be met

ORIGINAL INSPECTION REPORT INFORMATION

- ☐ Copy of the inspection report
- ☐ Date of inspection
- ☐ Name and signature of each certified inspector
- ☐ State certification number for each inspector (copy of certification card is ideal)
- ☐ Inventory of exact locations where samples were collected
- ☐ List of areas where friable and non-friable materials are assumed to be ACBM (where no samples were collected)
- ☐ Identify homogeneous areas as surfacing material, thermal system insulation or miscellaneous material
- ☐ Assess the condition of ACM or materials assumed to be ACM

SAMPLING INFORMATION (part of Inspection Report)

- ☐ Blueprint, diagram or written description of each school building that clearly identifies each location and approximate square/linear footage of homogeneous areas where material was sampled for ACM
- ☐ Exact location where each bulk sample was collected
- ☐ Date each bulk sample was collected
- ☐ Description of how sampling locations were determined
- ☐ Name and signature of each inspector who collected the samples
- ☐ State certification number of each inspector who collected samples (copy of certification card is ideal)

PHYSICAL ASSESSMENT INFORMATION (part of Inspection Report)

- ☐ Assess the condition of all friable ACBM and suspected ACBM based on 763.88(c)
- ☐ Correct classifications of all friable ACBM and suspected ACBM (763.88 b)
- ☐ Name, signature and certification number of each inspector making assessments

REINSPECTION REPORT INFORMATION

- ☐ Results of the visual reinspection of known or assumed friable ACBM
- ☐ Identify if and where previously non-friable materials have become friable
- ☐ Whether or not additional samples were collected
- ☐ Results of re-assessments of the condition of known or assumed friable ACBM
- ☐ Removal of previously abated ACBM from the inventory in the management plan
- ☐ Name, signature and certification numbers of each inspector and management planner involved in the reinspection

ANALYSIS OF SAMPLES

- ☐ Copy of the analyses of any bulk samples collected and method used
- ☐ Name and address of any laboratory that analyzed bulk samples
- ☐ Statement that any laboratory used meets the accreditation requirements of §763.87(a), including accreditation number (in Mass. the state certification #)
- ☐ Dates any analyses were performed
- ☐ Name and signature of the person performing each analysis

RESPONSE ACTION RECOMMENDATION INFORMATION

- ☐ Recommendations made to the LEA regarding response actions 763.90
- ☐ The LEA's response to the recommendations made
- ☐ Name, signature & certification number of each management planner making recommendations
- ☐ Detailed description of preventive measures & response actions to be taken, including methods to be used, for any friable ACBM
- ☐ Locations where such measures and actions will be taken
- ☐ Reasons for selecting the response action or preventive measure
- ☐ Schedule for beginning/completing each response action/preventive measure
- ☐ Cost estimates for carrying out response actions

COMPLETED RESPONSE ACTION RECORDS

- ☐ Project Design signed by certified project designer and certification # of project designer
- ☐ Exact locations where work occurred (room, wing, floor, etc.)
- ☐ Any pre-cleaning of the work area done prior to beginning the work
- ☐ Start and end dates of the work
- ☐ Name and certification # of any asbestos contractors and workers (copy of cert. cards)

- ☐ Written description of the methods used
- ☐ Name and location of waste storage and disposal site (waste shipment record)
- ☐ Documentation that a visual inspection was completed
- ☐ Final air clearance documentation (lab reports)
- ☐ Updated blueprint description of any ACBM or suspect ACBM remaining in the building

FINAL AIR CLEARANCE DOCUMENTATION

- ☐ Name, signature and certification number of any person collecting air samples
- ☐ Number of samples collected and locations where samples were collected
- ☐ Name & address of laboratory which analyzed samples
- ☐ Date of analysis, method of analysis, results of analysis
- ☐ Name & signature of person performing the analysis
- ☐ Evidence that the laboratory is NVLAP accredited, state certification #

PERIODIC SURVEILLANCE

- ☐ Dates each visual inspection was conducted
- ☐ Name and signature of each person conducting the inspection
- ☐ Changes, if any, in condition of ACBM noted

OPERATIONS & MAINTENANCE

- ☐ Date any small scale O&M activity was performed & name of person performing it
- ☐ Location of O&M activity
- ☐ Method of O&M—repair, removal, encapsulation
- ☐ Description of preventive measures used (isolate area, modify HVAC, use of PPE)
- ☐ Record of waste disposal or storage (waste shipment record)
- ☐ Records of all fiber release episodes (accidental disturbance): dates, locations, methods used, preventive measures, persons performing the work
- ☐ If school personnel are doing O&M work, a written respirator program, a written medical monitoring program, and medical clearance to wear a respirator (per OSHA)
- ☐ Description of any special cleaning practices used (where friable surfacing is present)
- ☐ Posting of warning labels in routine maintenance areas where ACM is present

TRAINING

- ☐ Names of all maintenance and custodial personnel who have received 2-hour awareness
- ☐ Names of any maintenance and custodial personnel who have received the 16 hour Asbestos Associated Project Worker training
- ☐ Dates training was received and person providing the training

NOTIFICATIONS

- ☐ Copies of annual notifications about management plan availability given to building occupants; method of notification
- ☐ Policy for notifying outside contractors (plumbers, electricians) regarding locations of ACM; method of notification (work permit, log book, letter, etc.)
- ☐ Plan for notification of building occupants about asbestos activities planned or in progress (reinspections, response actions, periodic surveillance, etc.)

RECORDKEEPING CHECKLIST

- ☐ **1. Annual Notification:** The LEA shall ensure that workers and building occupants, or their legal guardians, are informed at least once each school year about inspections, response actions, and post-response action activities, including periodic reinspection and surveillance activities that are planned or in progress.
- ☐ **2. Employee Training:** For each person required to be trained: their name and job title, as well as information on their training.
- ☐ **3. Periodic Surveillance:** For each periodic surveillance that is conducted: the name of each person performing the surveillance, the date of the surveillance, and any changes in the condition of the materials.
- ☐ **4. Response Actions/Preventive Measures:** For any response action or preventive measures taken for ACBM: a detailed description of the actions and information on sample analysis. For maintenance activities other than small-scale and short duration activities: the name and signature of the person performing the activity; their State of accreditation and, if applicable, the accreditation number of each person doing the activity; the activity start and completion dates; the precise locations; a description of the activity and any preventive measures; and if ACBM is removed, the name and location of the storage or disposal site.
- ☐ **5. Reinspections:** For each 3-Year reinspection: the name and accreditation information of the inspector, the date of the reinspection, and any changes noted in the condition of the material.
- ☐ **6. Cleaning:** For each required cleaning: the name of the person performing the cleaning, the date of the cleaning, the locations cleaned, and the methods used.
- ☐ **7. Fiber Release Episode:** For each fiber release episode, the date and location of the release, the method of repair, the preventive or response actions taken, the name of each person performing the work, and if ACBM is removed, the name and location of the storage or disposal site.
- ☐ **8. Small-Scale/Short Duration-O&M Activities:** For each small-scale and short duration operation and maintenance activity: the name and signature of the person performing the activity, the activity start and completion dates, the precise locations, a description of the activity and any preventive measures taken, and if ACBM is removed, the name and location of the storage or disposal site.

Individual copies of the following documents are available for free through the TSCA hotline. Sponsored by the Office of Pollution Prevention and Toxics, the TSCA Hotline provides technical assistance and information about asbestos programs implemented under TSCA, which include; the Asbestos School Hazard Abatement Act (ASHAA), the Asbestos Hazard Emergency Response Act (AHERA), and the Asbestos School Hazard Abatement Reauthorization Act (ASHARA). The Hotline provides copies of TSCA information, such as Federal Register notices and support documents, to requesters through its Clearinghouse function.

E-mail address: tsc hotline@epa.gov

Hours of Service: 8:30 a.m. - 5:00 p.m. (EST) M - F

Telephone: 202-554-1404

202-554-0551 (TDD)

Fax: 202-554-5603 (Fax available 24 hours a day)

Asbestos (general interest):



- Asbestos in Your Home (brochure)



- Asbestos in the Home: A Home Owner's Guide



- Managing Asbestos in Place: A Building Owner's Guide to Operations and Maintenance Programs ("Green Book")



- An Advisory to the Public on Asbestos in Buildings



- Guidance for Controlling Asbestos Containing Material in Buildings ("Purple Book")



- Asbestos in Buildings: Guidance for Service and Maintenance Personnel ("Custodial Brochure")



- Interim Guidelines for Maintenance of Asbestos Floor Tiles



- Asbestos, Sound Science & Public Perceptions: Why We Need a New Approach to Risk (William K. Reilly speech 6/12/90)



- Asbestos Fact Book



- Asbestos Fact Sheet

Asbestos (in schools)



- The ABCs of Asbestos in Schools (Booklet)



- Environmental Hazards in Your School: A Resource Handbook



- Asbestos School Hazard Abatement Act of 1984 (Public Law 98-377) (ASHAA)



- Asbestos Hazard Emergency REsponse Act of 1986 (Public Law 99-519) (AHERA)



- AHERA Summary



- AHERA Fact Sheet



- AHERA Q&A



- Asbestos School Hazard Abatement Reauthorization Act of 1990 (Public Law 101-637) (ASHARA)



- Asbestos in Schools: Evaluation of AHERA: Fact Sheet 7/91



- Asbestos in Schools: Evaluation of a Summary Report 6/91



- A Guide to performing Reinspections under AHERA



- How to Manage Asbestos in School buildings; AHERA Designated Person's Self-study Guide